



EXHIBIT #9  
DATE Jan 19<sup>th</sup> 2011  
# 130

## Five indicted in Starr County election fraud scheme

By SARA PERKINS, The Monitor  
2007-06-01 16:39:22

At least four Starr and Hidalgo county political operatives have been indicted for voter fraud in what the Attorney General's office says was a large-scale effort to submit mail-in ballots for imaginary people in 2006's March Democratic primary election.

According to a press release from the AG's office, The four were indicted by a grand jury in Brooks County last week on charges related to the scheme, which allegedly involved registering fake voters to vacant lots in Starr County and having mail-in ballots sent to several Hidalgo County addresses.

The people indicted were Jose Rene Gomez, 33 — who is also charged with voting twice in the election — Oralía Frausto, 49, Oscar Rios, 37, Dolores Gutierrez, 58, and Maria Gonzalez.

Investigators suspect that Gutierrez and Gonzalez are the same woman, but nonetheless secured indictments against both names.

Only Rios, an Hidalgo County resident, has so far been arrested, according to AG's spokesman Tom Kelley.

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## Former Sunland Park judge convicted of voter fraud

By Heath Haussamen | 08.17.09 | 7:31 am

Is there another voter fraud case brewing in Doña Ana County? After a jury found former Sunland Park Municipal Judge Horacio Favela guilty on Friday of fraudulently voting and registering as a candidate for judge, ABC-7 in El Paso quoted District Attorney Susana Martinez as saying her office will “vigorously” investigate allegations that Favela’s wife also committed voter fraud.

After two hours of deliberating, a jury convicted Favela of falsely declaring himself a resident of Sunland Park in 2008 so he could run for judge, falsifying a document that declared him a qualified voter, and voting twice in the 2004 general election — once in El Paso, Texas and once in Doña Ana County.

Favela faces a maximum of 4.5 years in prison and a \$15,000 fine, according to the Las Cruces Sun-News. He will be sentenced at a later date.

But that’s apparently not the end of it. KVIA reported nothing more about Favela’s wife than the statement from Martinez, a Republican who is running for governor next year, so details aren’t known.

Favela, according to KVIA, contended during his trial that records showing he voted in El Paso in 2004 were false. His attorney, Joe Arrieta of Las Cruces, said the conviction will only deter people from voting.

“That’s what I’m disappointed about, is the effect this case is going to have on people who want to exercise their right to vote and directly affecting the southern part of the state which is predominantly Democrat,” KVIA quoted Arrieta as saying.

Prosecutor Nelson Goodin, obviously, was pleased with the verdict.

“One person. One vote. The old adage of vote early, vote often doesn’t work. One vote for each person, so that everybody’s vote counts,” KVIA quoted him as saying.

The situation came to light after Favela was elected a municipal judge in Sunland Park in early 2008. He was suspended by the state’s Supreme Court without pay pending the outcome of the criminal case, but he later agreed to resign and never seek a judgeship in New Mexico again.

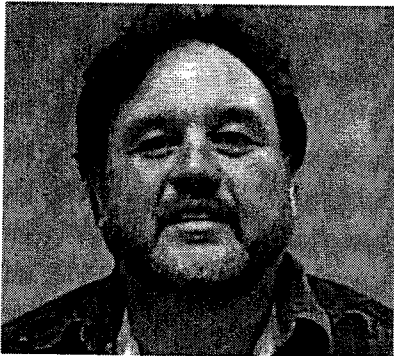
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## Ex-commission candidate sentenced for voter fraud

Andrew Gant

2008-07-10 22:28:28



DeFUNIAK SPRINGS - Greg "Charlie" Burke won't run for the Walton County Commission. In fact, he'll pay back all salary he made from another county post.

That's the price for fudging his election documents, a judge said Thursday.

Burke, a former candidate for the commission, was sentenced to two years probation for committing voter fraud, a third-degree felony.

He also will pay back the money he earned as commissioner of the South Walton Mosquito Control District. He will pay more than \$1,800 in restitution to the state attorney's office and \$775 in court costs.

Burke, who made \$4,000 a year at his post with the mosquito control district, could have faced a five-year prison term.

"I don't take lightly the fraud upon the public when you ran as a citizen of this county when you were not," said Walton County Circuit Judge Kelvin Wells.

A jury found Burke guilty in June after prosecutors said he was living and voting in Bay County - which should have precluded him from running for office in Walton County.

It didn't stop him from prefilng to run for the commission post.

Burke claimed to live in an apartment on U.S. Highway 98, although he married a Panama City Beach woman in January 2007. Prosecutors charged that he lived with her.

Burke served part of a four-year term with the mosquito control district before his arrest and a resulting suspension by Gov. Charlie Crist.

Afterward, he complained that others on the mosquito control board were targeting him because he disrupted the status quo by questioning the district's rising legal bills and helping to vote out the mosquito control director, who made \$116,000 in 2007.

The two remaining commissioners said they could form quorum without Burke.

Burke withdrew from the county commissioner's race on June 19, just days after the jury's guilty verdict, according to a letter filed with the county supervisor of elections office.

He did not immediately return a phone message seeking comment Thursday.

Daily News Staff Writer Andrew Gant can be reached at 863-1111, Ext. 1432.



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## Woman pleads guilty to voter fraud

*By Dana Beyerle Montgomery Bureau Chief*

*Published: Wednesday, September 2, 2009 at 3:30 a.m.*

MONTGOMERY | A Greensboro woman who was indicted on voter fraud charges stemming from the 2006 elections in Hale County has pleaded guilty, Attorney General Troy King said Tuesday.

King said Rosie Lyles pleaded guilty Monday in Hale County Circuit Court to a charge of third-degree possession of a forged affidavit of an absentee ballot with intent to defraud.

She was sentenced to a 12-month suspended sentence, placed on probation for two years and assessed \$400 in court costs.

Lyles, 68, is also prohibited from participating in absentee ballot voting or registration activity for two years, King said.

'This conviction represents an important victory for integrity at our ballot boxes,' said King, who vowed to prosecute voter fraud. 'Honest, fair elections are the foundation upon which our democracy stands.'

A Hale County grand jury returned indictments in August 2007 against Lyles and Valada Paige Banks, a former member of the Greensboro City Council.

Banks, 44, and Lyles were charged with second-degree possession of a forged instrument — an absentee voter affidavit — with the knowledge that it was forged and four counts of promoting illegal absentee voting. The two women entered not guilty pleas in October 2007.

The charges stemmed from a Democratic primary on Oct. 26, 2004, and a Democratic primary on May 3, 2005. Both primaries were part of special elections.

King said voter fraud charges against Banks and former Circuit Clerk Gay Nell Tinker are still pending. Tinker was indicted in March 2008 on nine charges of second-degree possession of a forged instrument, an absentee voter affidavit. She faces two charges of promoting illegal absentee voting and two counts of first-degree perjury.

Specially appointed Clarke County District Judge George Elbrecht presided over Lyles' case, King's office said. Hale County Circuit Judge Marvin Wiggins was removed from the case because he is related to some of the defendants.

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# DA Alleges Voter Fraud By Undocumented Immigrants

## Reed: People Also Claiming Undocumented Status To Skip Jury Duty

POSTED: Friday, July 18, 2008

UPDATED: 5:34 pm CDT July 18, 2008

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**SAN ANTONIO** -- Allegations of voter fraud and perjury have surfaced as the Bexar County District Attorney's office looked over records from the elections department at the department's request.

Undocumented immigrant status has been claimed by people both registering to vote and by people trying to get out of jury duty, District Attorney Susan Reed said.

Reed said two of the jury cases will be prosecuted as perjury, but the statute of limitations has run out on some of the cases of voter fraud. The statute of limitations is two years on lying to get out of jury duty and three years on the undocumented voter registration.

Reed said her office examined records from the county's elections department at the department's request.

"I'm asking to move it up on the radar and let's keep what we need to be able to come in and effectively prosecute in those situations," she said.

Reed's office has been reviewing the elections records for more than a year, she said.

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## Villarreal to serve 90 days in jail for election fraud

Refugio County commissioner gets jail, 5 years probation and fine

Associated Press  
Oct. 9, 2007, 4:33PM

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REFUGIO — A Refugio County commissioner pleaded guilty today to felony election fraud charges and will be jailed for three months, Texas Attorney General Greg Abbott said.

Precinct 4 Commissioner Raymond Villarreal, 57, will also plead to an associated misdemeanor charge next week, according to a written statement from Abbott.

Under the plea agreement reached today, Villarreal will serve 90 days in jail, be placed on five years' probation, resign from the Commissioners Court and pay a \$1,500 fine.

Villarreal pleaded guilty to one count of tampering with a governmental record, a state jail felony, and will also plead guilty to possessing the ballot of another person, a Class B misdemeanor. He will pay an additional \$1,000 fine on the misdemeanor charge.

Villarreal, who was indicted in February, was accused of developing a complicated scheme involving mail-in ballots to influence the Democratic Party primary while a Commissioners Court candidate last year.

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## Morales pleads guilty to voter fraud

By Jesse Duarte

STAFF WRITER | Posted: Thursday, March 18, 2010 12:00 am

Molly Morales, an early organizer of the St. Helena School Board recall campaign, pleaded guilty March 11 to one misdemeanor count of voter fraud for voting twice in the November mail-in election for an empty school board seat.

Morales was sentenced to three years of summary probation. She'll have to perform 150 hours of community service, pay \$1,100 in fines and pay \$4,080 in restitution to Napa County.

In exchange for her plea, a felony count of fraudulently signing a ballot was dismissed.

Prosecutors say Morales received two mail-in ballots for the Nov. 3 special election: one addressed to Molly Janice Morales and another addressed to Molly M. LaPointe.

According to court documents, Morales "marked both ballots and submitted them to the Napa Elections Department (by mail) voting twice in this election."

"I accept the consequences of my actions," Morales said Monday in a statement. "This was a lapse in knowledge and not done with intention. I am sorry for any inconvenience this has caused the community and I look forward to serving the community this coming year."

Registrar of Voters John Tuteur's office forwarded the case to the Napa County District Attorney's office.

Tuteur has said that since only one of the ballots was counted, the integrity of the election — which resulted in Kevin Alfaro beating Roger Adams by a 2-1 margin — was not compromised in any way.

Tuteur said in a statement, "This was an unfortunate incident for Ms. Morales but it is important that all residents of Napa County remember that participating in elections is a privilege that must be exercised responsibly."

Morales, the president of the RLS Parent Group, played an active role in the petition-gathering phase of the recall effort. Organizers say her involvement ended several months prior to the election.

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# Richmond Times-Dispatch

Published: October 02, 2009

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## Louisa woman indicted in voter fraud

By

A Louisa County woman was indicted last month on charges of voter fraud during the 2008 General Election.

Louisa County Commonwealth Attorney Thomas A. Garrett Jr. announced this afternoon that a grand jury indicted Bonnie Nicholson, 57, on three felony charges and one misdemeanor charge relating to the historic 2008 election.

Nicholson, who turned herself in to Louisa County authorities today, had her voter registration solicited by an organization. Garrett said investigators are reviewing the connection between organizations that solicited the registration of banned voters.

More indictments are expected, said Garrett, who declined to discuss the specifics of the case.

Authorities allege Nicholson knowingly falsified her voter registration application saying either she had not been convicted of a felony, or if she was convicted of a felony, her voting rights were restored. She then allegedly cast her vote with the knowledge that she was disqualified from doing so.

If convicted, Nicholson faces a maximum of 21 years in prison.

-- Jeremy Slayton



# Marty Small campaign worker pleads guilty to ballot fraud

TUESDAY, 13 OCTOBER 2009 15:54



A worker for the unsuccessful primary mayoral campaign of Atlantic City Councilman Marty Small pleaded guilty Tuesday to engaging in fraud involving messenger absentee ballots during the June Democratic primary.

Ronald Harris, 23, of Atlantic City, pleaded guilty to a charge of third-degree conspiracy to commit absentee ballot fraud before state Superior Court Judge Robert Neustadter in Mays Landing, according to state Criminal Justice Director Deborah L. Gramiccioni.

Under the plea agreement, the state will recommend that Harris be sentenced to a term of probation, conditioned upon him serving up to 364 days in the Atlantic County Jail. He may face a fine of up to \$15,000.

Harris was charged in a 10-count state grand jury indictment returned on Sept. 3, which also charged Small and 12 other campaign workers and operatives. The indictment resulted from an investigation led by the Division of Criminal Justice Corruption Bureau and the State Police Official Corruption Bureau.

In pleading guilty, Harris admitted that he conspired with others involved in Small's mayoral campaign to submit false documents related to the procurement, casting, or tabulation of messenger absentee ballots in the primary.

The charges are pending against the remaining defendants. Small and the other defendants are each charged in the indictment with conspiracy, four counts of election fraud, absentee ballot fraud, tampering with public records, falsifying records, and forgery. Four defendants are also charged with hindering apprehension or prosecution.

The indictment alleges that Small and the other defendants conspired to commit election fraud through the following schemes, among others:

They allegedly solicited applications for messenger absentee ballots from individuals not qualified to receive them and had the voters not fill in the name of the messenger, so they could fraudulently designate themselves as the authorized messengers or bearers.

They allegedly obtained messenger ballots from the county clerk and submitted them to the board of elections as votes on behalf of voters who, in fact, never received or voted the ballots or, in some cases, were given only the security envelope for the ballot and were told to sign it. Those voters were not given the opportunity to vote in most instances.

They allegedly picked up sealed absentee ballots from voters, unsealed them and, if they were votes for mayoral candidates other than Small, destroyed them, thereby disenfranchising those voters. If they were votes for Small, they allegedly resealed them and submitted them as votes.

They allegedly illegally instructed voters to fill in messenger ballots as votes for Small.

They allegedly submitted voter registration applications and messenger ballot applications on behalf of individuals who were not residents of Atlantic City, falsely representing they were.

They allegedly forged the signatures of voters on messenger ballots.

They allegedly fraudulently delivered messenger ballot applications and messenger ballots to voters simultaneously and instructed the voters to fill out both during the same visit.

Small and the indicted members of his campaign staff allegedly sought to maximize the number of absentee ballots messengered by the campaign by enlisting operatives and campaign workers to engage in fraud and by paying campaign workers based on how many messenger ballots they collected. The workers allegedly were told to direct voters to vote for the Small ticket, or simply have the voters sign the ballots so the workers could fill them out as votes for the Small ticket.

Deputy Attorney General Anthony Picione, the chief of the Corruption Bureau, and Deputy Attorney General Robert Czepiel Jr. took Harris' guilty plea. Sentencing is scheduled for Dec. 4.

The investigation was led for the State Police Lt. John Redkoles, and detectives Sgt. 1st Class Karl E. Ulbrich, Sgt. David A. Smith, Sgt. John Pizzuro, Scott Orman, Anthony Carugno, James Sansone, David Caracciolo and John Scalabrini. Deputy Attorney General Peter Lee assisted for the Corruption Bureau.

Gramiccioni noted that the Division of Criminal Justice has established a toll-free Corruption Tipline 1-866-TIPS-4CJ. Additionally, the public can log on to the division's web site at [www.njdcj.org](http://www.njdcj.org) to confidentially report suspected wrongdoing.

– TOM HESTER SR., [NEWJERSEYNEWSROOM.COM](http://www.newjerseynewsroom.com)

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## Voter fraud allegation alleged in District 3 race



3:13 PM Mon, Sep 14, 2009 | Permalink  
Tawnell Hobbs/Reporter Bio | E-mail | News tips

Bruce Parrott, a District 3 school board candidate, is not happy about a call to his home today from the Dallas County Elections office. The election office rep. was looking for Lois Parrott, Bruce's wife and former DISD board president. Lois wasn't home, so Bruce said that he took the call.

Bruce said the representative proceeded to notify him that the election office had received Lois' call requesting that her ballot be mailed to her residence and that it would be mailed later today so she can cast her vote in the Nov. 3 election. Problem is, Bruce said, Lois never made such a request — and she's probably not the only one this has happened to, he said.

Basically, Bruce believes that the guilty person(s) could be working for another candidate in the District 3 race. This wouldn't be the first case of election fraud, when some unsuspecting person receives an absentee ballot in the mail and then a visit from someone willing and ready to help them fill it out.

"It's possible that somebody could show up on my doorstep and say, 'We're here to help you fill out your ballot,' Bruce Parrott said.

Bruce Sherbet, Dallas County elections administrator, said the elections office did receive a voice message from a Lois Parrott asking for "two applications" for absentee ballots. Sherbet said if there is some shenanigans going on this early into the race, "it is a sign that [this race] can get pretty heated."

Sherbet noted that the call was made for "applications" for absentee ballots. He said that folks that typically commit voter fraud usually don't request the application by phone because they already have them in hand. He said anyone can print the application from the election's office website or request it by phone.

Bruce Parrott wondered if it's that easy to get an absentee ballot. I went on Dallas County's election website and found the mail-in ballot application. Basically, to vote by mail you must be either: 65 years of age or older; disabled; confined in jail; or expected to be absent from the county. The applicant does have to sign the application, but, if unable to do so, can be assisted by a witness or assistant.

Well, Bruce Parrott is very concerned about this incident. Anyone else out there in District 3 have this happen to them or know of anyone that has?

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## Study calls into question number of non-citizen voters

5:53 PM Tue, Oct 07, 2008 | [Permalink](#)  
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The former head of a Washington think tank specializing in immigration issues says that voter registration numbers in Texas and elsewhere may be inflated because of the presence of non-citizens on voter rolls.

David Simcox, former executive director of the Center for Immigration Studies, released a study Tuesday afternoon that said an estimated 1.8 million to 2.7 million non-citizen immigrants in the United States may be illegally registered to vote, thereby potentially influencing the outcome of the upcoming presidential and congressional elections.

The report also estimated that anywhere from 161,000 to 333,000 non-citizens may be registered to vote in Texas.

Calling the state's political culture "a mix of the worst of Old South Dixieland politics and Latin American politics," Mr. Simcox said Texas has a political history marked by election fraud, sometimes involving Mexican or Mexican-American voters.

Using Texas population estimates from the 2000 census, Mr. Simcox said his study found a disproportionately high number of registered voters when compared to the total number of eligible voters in six major metropolitan counties and five counties near the Mexican border, all having a high percentage of non-citizen residents.

The counties mentioned in Mr. Simcox's report were Bexar, Dallas, El Paso, Harris, Maverick, Presidio, Starr, Tarrant, Travis, Valverde and Webb counties. The report found that, according to Mr. Simcox's calculations, Dallas, Harris, Presidio and Starr counties had a higher number of registered voters than legitimately eligible voters, a figure that excludes non-citizens and convicted felons.

But Starr County Election Administrator Rafael Rodolfo Montalvo disputed the claims in Mr. Simcox's report, saying he doesn't understand how Mr. Simcox got his registration figures.

"I'm not saying it can't happen, but [non-citizen voting] isn't a big issue here," Mr. Montalvo said. "I feel very sure that our elections are fair and our people who are voting are eligible."

Mr. Montalvo said Starr County has about 66,000 residents and about 27,500 are registered voters. Mr. Montalvo also said that despite the county's proximity to the Mexican border, the residents know each other and any non-citizens trying to vote would easily be pinpointed and stopped.

Mr. Montalvo also said there are plenty of safeguards in place in the registration process. Once a voter submits a driver's license number or social security number, it is entered into a statewide electronic system. Then, the Secretary of State's office must verify the information, and then approve a voter's application. Only after approval is granted are applicants sent a voting card, Mr. Montalvo said.

"If I thought there was an issue, I would go wherever, I would do anything to bring attention to it," said Mr. Montalvo. "It's getting closer to an election, and some people want to muddy the waters for one reason or another."

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## Ballots cast in Houston using dead voters' names

Thursday, Oct 09, 2008, 11:07PM CST

By Lee Ann O'Neal



**Thousands on the rolls after death, creating potential for fraud**

Woodwick Street was quiet — with a few residents working in their yards and adding to post-storm brush piles at the curb — when Texas Watchdog visited on a recent Saturday to try to find Harris County voter Linda K. Hill.

"I'm sorry, but she passed on two years ago," said a mustached man wearing a Dallas Cowboys baseball cap and driving a motorized chair down the street. He was Linda Hill's husband, Henderson Hill Jr.

Linda Kay Hill, a homemaker and Louisiana native, died Aug. 2, 2006, of a heart attack, her husband recalled, and is buried at Houston Memorial Gardens in Pearland. But Harris County voter records indicate she — or someone using her identity — cast a ballot in the November election that year. Linda Hill of Woodwick Street voted in person on Election Day, records show.

She is among the more than 4,000 people whose names are listed both on Harris County's voter rolls and also in a federal database of death records, a Texas Watchdog analysis has found.

And dozens of those people, like Linda Hill, have apparently cast ballots from beyond the grave, records since 2004 show. One expert says the number of deceased names used to cast ballots may be higher than what Texas Watchdog's analysis found.

Instances of dead voters' names being used to cast ballots were most frequent in three elections, the November 2004 general election, the November 2006 general election and the March 2008 Democratic primary, the analysis found.

Less than a month away from an election to decide the highest office in the land, some advocates worry that such errors in the voter records open the door for fraud, compromise the integrity of results and lessen voter confidence in the system.

The findings come as the group ACORN, the Association of Community Organizations for Reform Now, has faced scrutiny in multiple states for allegedly improper voter registrations — including players for the Dallas Cowboys, not in the Lone Star State, but in Nevada. The group's Nevada offices were raided by state officials earlier this week.

That's as officials in at least six states may have improperly removed tens of thousands of voters from the rolls or prevented them from registering, the *New York Times* reported Wednesday.

### 'Counterfeiting' of votes threatens electoral process

"This is subverting the ballot," said John Fund, a *Wall Street Journal* columnist and author of *Stealing Elections: How Voter Fraud Threatens Our Democracy*. "Just like you counterfeit dollars, we take it seriously, if you counterfeit votes we should take it equally seriously, and we should punish people seriously for trying to subvert democracy."

And 4,000 voters isn't chump change, even though the figure is a tiny fraction of Harris County's 1.9 million registered voters.

### Video

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Texas Tribune

Elections have been decided by less: By fewer than 300 votes, Andres Pereira edged out Bruce Mosier to win the Democratic nomination for 190th District judge in March. Democrat Hubert Vo squeaked by Republican Talmadge Hefflin in 2004 to win a state House seat by 33 votes, according to an official recount. And George W. Bush actually won Florida by 1,665 votes in 2000, according to a hand recount after the election commissioned by *USA Today*, the *Miami Herald* and Knight Ridder.

Even one wrong record, his wife's, worries Henderson Hill.

Speaking in the dining room of the home in the East Little York/Homestead neighborhood where the couple moved in 1976, Hill said he didn't know why or how the county would have recorded his late wife as voting three months after her death. He's curious to know how it happened — and concerned about whether her identity has been stolen.

"I'd like to know if anyone had (gotten) a hold of her driver's license or something," said the retired mechanic for Houston's Metro system. "I really don't know who would do that."

The couple were married 34 years. Henderson Hill confirmed that his late wife was born on the same day as the person listed by Harris County as having voted in November 2006, and her Social Security number is also the same as that found in the Social Security Administration's death records.

The issue of dead voters on the Texas rolls has come up before.

A November 2007 state audit found records of more than 23,000 registered voters who may have died. Those cases have since been investigated, said Ann McGeehan, director of elections at the Secretary of State's office. Records of confirmed dead voters were removed, she said.



McGeehan spoke with KPRC Channel 2's investigative team, with whom Texas Watchdog shared its analysis. (Click screenshot at left to see KPRC Local 2's video.)

In recent years, concerns about voter fraud have prompted a national movement to require photo identification at the polls. The U.S. Supreme Court in April upheld Indiana's voter ID law, a decision seen as reassurance that similar laws in other states requiring voters to show photo identification, or ID without a photo, could survive legal tests.

Critics of the voter ID movement say such laws make it too difficult for people to exercise their right to vote and are especially tough on poor people, who may not already have a driver's license or other photo ID and can't afford the fees that come with securing identification.

In Texas, voters must identify themselves at their polling place, but they are not limited to their voter registration card or photo ID. Voters may use a driver's license, a birth certificate, a passport, utility bill, bank statement or paycheck, among other options.

### Obituaries, death records used in cleaning up rolls

Officials say they make every effort to rid the voter rolls of dead people. Workers in the Harris County tax assessor and voter registrar's office comb through obituaries, death certificates and legal documents filed after a person's death. They use those records, along with confirmation from family members, to identify dead people on the rolls.

"We do all we can, but you know, we'd rather err on the side of leaving people on the roll instead of taking them off inadvertently," George Hammerlein, director of Harris County voter registration, told KPRC-Local 2 Investigators.

Hammerlein said the office has "never had any evidence" of an organized attempt to defraud the system. And given the volume of records the office deals with, Hammerlein said a few thousand is not huge.

"Four thousand out of 1.9-something-million voters represents a fairly small percent," he said. "I think, in the grand scheme of things, it's small."

But Fund said it's hard to determine whether the 4,000 is the extent of the problem. And the analysis did not cover felons, people who've moved out of state and duplicate records within the voter rolls.

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Update: 3 hours 11 min

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Jason Embry's First Reading

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**dwight silverman** | 6 min 35 sec  
So most of our dept is moved to our new home, except for me. It's kinda lonely!



**creativecommons** | 7 min 10 sec  
RT @R2RC Excited for the @maclearing OER panel at 1pm EST featuring @btkbs, @carolinarossini, @opencontent, & others  
<http://t.co/5dv82W5>



**monitornews** | 7 min 55 sec  
Police need help identifying man seen with alleged McAllen motel shooter <http://ubn.cc/hOgXch>



**Virtual Capitol** | 10 min 57 sec  
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**Sunlight Foundation** | 10 min 59 sec  
TN Gov. Haslam follows lead of Afghanistan, Russia by exempting himself and staff from financial disclosure rules: <http://bit.ly/eK4vnd>



**Houston Chronicle** | 11 min 5 sec  
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**Hood County News** | 11 min 20 sec  
Man charged in marijuana possession case: A 56-year-old man who was stopped Monday for speeding while drivin... <http://bit.ly/eDFrq#b>

"Let's say somebody is registered who doesn't exist. How would you know that that was an improper vote?" Fund said. "All you have is an address. The person shows up at the polls, signs a signature, can vote. How would you know an improper vote has been cast? You wouldn't."

In addition to the local efforts, the Secretary of State's office compares voter rolls with the Department of State Health Services' records of deaths. When the death records and voter rolls match on name, date of birth and Social Security number, the office asks local officials to remove those people from the voter rolls. And if the office finds close matches — for example, cases in which everything matches but Social Security number — the state asks local officials to investigate further.

The state's death records are updated anywhere from 24 hours to two months after a person's death, depending on whether electronic or paper records are used, Department of State Health Services spokesman Doug McBride said.

### Candidate who lost says other voting problems loom larger

Not everyone thinks having dead voters on the rolls poses a major problem.

"Any voting irregularity is a cause for concern," said Lloyd Wayne Oliver, who lost the Democratic contest for 174th District judge in March. "Probably some people who voted for me were dead."

But the Houston criminal defense lawyer said other barriers to access, like political activists who purport to register everyone but trash registrations from those whose party philosophy doesn't match theirs, weigh heavier on the system.

Oliver said he doesn't think having dead voters on the rolls harmed his chances. Oliver lost to Ruben Guerrero, who faces Assistant District Attorney Bill Moore, a Republican, in November.

But Alexis Guidry thinks her mother would be troubled if she knew about her apparently posthumous vote.

Gloria Guidry passed away last May, but Harris County voting records indicate she cast a ballot in the March 2008 Democratic primary.

Guidry was a mother of four, grandmother of 11, and first lady, or pastor's wife, of the New Covenant Fellowship Church in Houston.



"She would be livid," daughter Alexis Guidry said.

Alexis Guidry, an English student at the University of Houston, said she would ask her father to look into the matter. Guidry said she didn't know of anyone who would have access to her mother's identifying information, and none of the four daughters share her mother's name.

(Pictured at left: Gloria Guidry.)

### Record errors, people with similar names

Some of the more than 4,000 people may not be dead.

In the method Texas Watchdog used, matching first, last and middle names and dates of birth, two people with a common name born on the same day could be mixed up with each other.

Errors in the federal death records may point to dead people when they are, in fact, alive. The Social Security Administration itself says there may be errors in its death records.

In one case identified by Texas Watchdog, a poll worker's mistake may have led to a faulty record.

John Medford said there must have been a mix-up when he was told his father — who died in 2006 — had voted in the March Democratic primary.

They lived at the same Neff Street address. They shared their name: John Curtis Medford. But the father was born in 1917, the son in 1951.

"My mom and I voted. That's all I know," Medford said. But the younger Medford didn't vote, records show.

Poll workers apparently recorded the father as showing up to the polls, not the son.

#### How we reported the story:

Deaths are recorded by the federal government at the Social Security Administration. We obtained the database through the National Institute for Computer-Assisted Reporting, a program of the nonprofit Investigative Reporters and Editors and the University of Missouri School of Journalism. The database does not include people who die without ever having a Social Security number.

We compared the federal records (1937 through June of this year) to Harris County's records of registered voters as of Sept. 1 (kept by the county tax assessor). At that point there were almost 1.9 million voters on the rolls, though more have registered since then.

We looked for people whose names — first, last and middle — and dates of birth matched. There were more than 2,100 cases where all fields matched exactly.

Then we added close matches.

In the case of middle names, an initial like 'J' in one database could match a middle name like 'John' in the other. We found about 700 records that were like this.

We considered a blank middle name in one database as a possible match with a completed middle name in the other. And we considered blank middle names in both databases with matches on everything else possible matches. There were more than 1,400 records that fell into these categories.

We also considered possible misspellings or typos, like a middle name of 'John' in one database and middle name of 'Jhon' in the other. There were more than 100 records like this.

Our search yielded more than 4,000 matches, or voters who may be dead. [Click here](#) to see the database.

We matched those records with voting history records (kept by the Harris County clerk) to determine whether people's names may have been used to cast ballots. We matched the 4,000 with the voting history records using identification numbers assigned by local and state officials. We examined elections since the March 2004 primary.

E-mail Lee Ann O'Neal at [leeann@texaswatchdog.org](mailto:leeann@texaswatchdog.org) or call 713-366-7979. Texas Watchdog staffers Jennifer Peebles and Trent Seibert contributed to this report.

Photo at top left: Texas Watchdog photo illustration using photos by flickr users informatique and yaquina, used via the Creative Commons license.

Check out Texas Watchdog on Facebook, MySpace and Twitter.

#### Database of Harris County voters who may be deceased

Texas Watchdog's analysis found more than 4,000 matches between registered Harris County voters and Texans whose personal information appears in Social Security Administration death records, using the analysis method described above. Texas Watchdog is withholding these voters' Social Security numbers and publishing only their years of birth — not their full dates of birth — to prevent fraudulent use of their identities.





## **Starr county commissioner convicted on voter fraud charges**

Jeremy Roebuck

2010-06-23 20:57:06

**RIO GRANDE CITY** — Starr County Commissioner Raul "Roy" Peña Jr. was sentenced Tuesday to six months' probation and a \$500 fine for violating state election law during this year's Democratic primary.

The elected official pleaded "no contest" to one count of illegally returning a marked ballot and one count of improperly mailing another voter's ballot, stemming from allegations he helped stuff ballot boxes with fraudulent mail-in votes.

Although his "no contest" plea is not technically an admission of guilt, for all intents and purposes it is considered a conviction by the court.

Investigators first began targeting Peña, who was not up for re-election during this spring's race, on Feb. 26, after he arrived at a Rio Grande City post office with 56 mail-in ballots.

Because state law requires anyone who provides assistance to a voter — including delivery of mail-in votes — to sign the outside of the ballot's carrier envelope, postal workers found his activity that day suspicious and reported it to authorities.

Within days, losing candidates across the county's slate of races pointed to the incident as evidence that the vote was rigged.

But earlier this month, a Starr County grand jury declined to indict Peña on felony voter fraud charges, saying it did not believe the commissioner knowingly violated election guidelines.

Heriberto Silva, district attorney for a region that includes Starr County, forwarded the case on for misdemeanor prosecution.

How — if at all — Peña's conviction might affect his position on the Commissioners Court remained unclear Wednesday. Because he was never charged with a felony, he is not required by law to give up his seat.

"I don't know (how it might) affect his status as an officeholder," said Starr County Attorney Victor Canales, who prosecuted the misdemeanor case. "It was not something that my office took into consideration during plea negotiations."

Peña did not return multiple calls seeking comment Wednesday. His attorney Rene Montalvo said he had not been authorized to speak on the commissioner's behalf when reached by phone that afternoon.

The commissioner's arrest marks the second voter fraud case to be filed in connection with this spring's primary election.

Texas Rangers arrested Precinct 2 employee Modesta Vela, 51, in April on misdemeanor charges, alleging she also failed to note assistance given to between 10 and 20 voters on their mail-in ballots.

Her case is expected to go before a court later this year.

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**Jeremy Roebuck covers courts and general assignments for *The Monitor*. You can reach him at (956) 683-4437.**



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# Man convicted of double voting

## 'I forgot' doesn't get Tosa resident off hook

By Derrick Nunnally of the Journal Sentinel

Aug. 23, 2007

Sure, Michael Zore told police, he'd voted twice in last November's election, using the city hall polling stations of two different Milwaukee County suburbs in the space of six hours.

The evidence against him included him signing up to vote using a false address in West Allis, after he'd already voted in Wauwatosa.

But Zore, 44, told a jury Wednesday there was a good reason he shouldn't be convicted of felony counts of double voting and giving a poll worker false information:

He forgot.

"It is hard to believe, I don't discount that at all," Zore's lawyer, Raymond M. Clark, told the jury. "But it did happen."

Clark's "stress defense" claimed Zore was so tense - from his sister's death a week before, from the garnishment of his wages to pay back taxes, from his divorce a year before, and from the cancellation of a master's degree class on election day - that when he found himself, after an errand, in West Allis across the street from City Hall, he forgot he'd already voted.

Jurors needed just an hour of deliberation, and a lunch break, to reject this claim and find Zore guilty Wednesday.

He now could face a prison sentence of up to seven years and a fine of \$20,000 when Milwaukee County Circuit Judge William W. Brash III sentences him Sept. 27.

After the verdict came in, Brash ordered Zore, who had been free on a signature bond, held on a \$300 bail. Zore had not posted bail by Wednesday evening, according to jail records.

Although several of Zore's friends testified during the three-day trial that Zore was a forgetful man, in his closing argument Assistant District Attorney Bruce Landgraf pilloried the idea that Zore had unintentionally voted twice.

"He says he's forgetful about the little things in life," Landgraf said. "Voting is not a little thing in life."

## Stress defense

Landgraf derided both a psychological assessment that indicated Zore was liable to forget things - a tendency stress can exacerbate - and what Landgraf said was an ever-growing set of reasons Zore claimed he was stressed.

"Like a fine wine, Mr. Zore's stress defense is getting better as time goes on," Landgraf said. "... He had four months to think about what was stressing him in his life."

Landgraf said Zore would have had to be "in something of a fugue state ... with his own personal reality" to forget that he'd voted in the space of a few hours.

A psychologist's assessment, done as part of Zore's defense efforts, hadn't noted that Zore was disassociated with reality, Landgraf said.

"He's as sane as you or I," the prosecutor said.

In Zore's defense, Clark tried to convince the jury they couldn't read intent into the actions of a man whom friends called forgetful and who was stressed by both his life's woes and a \$22,000 income, which, Clark said, was low enough that "it generates stress" for Zore.


## Running errands

He said Zore had simply been in West Allis that election day on errands when he spotted traffic coming out of City Hall when it occurred to him what to do.

"He says to himself, 'OK, I haven't voted yet,' " Clark said. "The rest is history."

### Find this article at:

<http://www.jsonline.com/news/milwaukee/29425314.html>

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## Dispatch Politics

### Man gets fine, probation for voting twice in '06 election

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Saturday, October 6, 2007 3:54 AM

**BY BRUCE CADWALLADER**

THE COLUMBUS DISPATCH

Voter verification cards from two counties confused Claudel Gilbert enough that he voted twice on Election Day last year, his attorney said yesterday, as Gilbert became the first Franklin County resident ever convicted of illegal voting.

Gilbert, 38, a Haitian immigrant who became a U.S. citizen in 1994, said he was registered to vote at a Franklin County apartment before he bought a house in Licking County in 2006. He registered again for the new address at 8465 Reynoldswood Dr. in Reynoldsburg.

But when the boards of elections in both counties sent him cards verifying his right to vote, he thought his vote would not count unless he voted twice on Nov. 7, his attorney, Eric Yavitch, said.

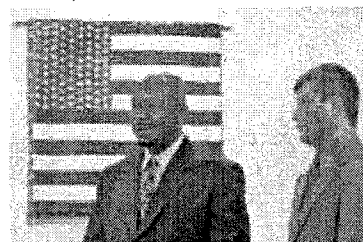
An investigation was launched after Gilbert's name showed up on a statewide computer database of voters, officials said.

He pleaded guilty to voting in Franklin County, where he did not live, and to voting twice, both felonies under Ohio law. The Franklin County prosecutor's office dismissed two counts of false registration.

Common Pleas Judge Richard A. Frye sentenced Gilbert to probation for one year and fined him \$500 but suspended a six-month prison sentence. Frye said he would not prohibit Gilbert from trying to expunge the conviction. Gilbert will be able to vote in Licking County next month.

"He did not have any illegal intent," Yavitch told the judge, "but instead was trying to protect what he thought were his property rights. He is embarrassed and humiliated to be standing before an American judge in front of the American flag admitting to his mistake."

[bcadwallader@dispatch.com](mailto:bcadwallader@dispatch.com)



TOM DODGEDISPATCH

**Claudel Gilbert, left, was confused when he received two voter verification cards, said attorney Eric Yavitch, right. Gilbert, a native of Haiti, pleaded guilty yesterday to voting twice.**

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## Milwaukee woman gets probation for ACORN voter registration

*Posted: Oct 12, 2009 7:00 PM MDT*

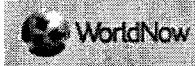
MILWAUKEE (WKOW) -- A woman in Milwaukee will serve three years probation for repeatedly registering individuals in an ACORN voter drive.

Latoya Lewis, 19, pleaded guilty Monday to election fraud. A Milwaukee County Circuit Judge avoided the typical one-year jail sentence. Instead, as conditions of her probation, Lewis must serve 30 days in jail, with work release privileges; she cannot, however, work on any voter registration drives.


Lewis had said she was trying to meet her quota as a paid registrar.

She was the only employee of ACORN, a liberal activist group, to get charged with voter fraud in Wisconsin.

There were, however, four former Milwaukee registrars who faced charges from the 2008 election. One remains at large, and the two others pleaded guilty as well.



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# Businessman accused of voting twice

## Felony charge filed against Walt Coiner

by **TERRY SMITH**

A felony charge has been filed in Blaine County against a Magic Valley businessman accused of voting twice in last year's November general election.

Walter A. Coiner, a Ketchum resident and an owner of Hollyberry Nursery in Hansen, is charged with illegal voting under Idaho criminal code 18-2306, which provides that "every person who votes more than once at any given election ... is guilty of a felony." The crime is punishable by up to five years in prison and a \$1,000 fine.

The Blaine County Prosecuting Attorney's Office filed the charge on Sept. 29.

"He is accused of voting in the November 2008 election twice," Prosecuting Attorney Jim Thomas wrote in an e-mail to the Idaho Mountain Express. "Once in Twin Falls with an absentee ballot and once in person in Blaine County."

An arrest warrant was not issued. Rather, Coiner was issued a summons ordering him to appear for arraignment at 9 a.m. on Oct. 19 in Blaine County Magistrate Court.

"I can't really discuss this until I talk to my attorney," Coiner said in an interview. "It's something weird—I don't understand this."

Blaine County court records state that Coiner was born in 1953 and list him as a Hansen resident. Coiner and his wife also maintain a home in Ketchum.

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Coiner is a supervisor of the Sun Valley Ski and Snowboard School and is listed as president of the board of the North Intermountain Division of the Professional Ski Instructors of America.

He is also a member of the Twin Falls County Tree Commission.

Coiner is a relative of Charles Coiner, a Republican state senator from Twin Falls County.

Terry Smith: [tsmith@mtexpress.com](mailto:tsmith@mtexpress.com)

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## **Sullivan Co. Elections administrator says felons are registered, have voted; wants DA to prosecute**

By John Osborne

Published October 13th, 2009

BLOUNTVILLE — Voter fraud has occurred in Sullivan County for years, Sullivan County Administrator of Elections Jason Booher said Tuesday.

Booher said information given to him by state election officials indicates about 100 felons fraudulently registered, are registered still, and voted in the county — some going back as far as the early 1960s.

Booher said he wants the Sullivan County Election Commission to ask Sullivan County District Attorney Greeley Wells to prosecute the individuals for fraudulently registering to vote, and therefore fraudulently voting — in cases that have not passed the four-year statute of limitations.

Booher said fraudulently registering and fraudulently voting each carry their own felony charges.

Booher said work by the Tennessee Election Coordinator's Office has spurred a statewide, county-by-county effort to identify convicted felons who should not be on voting rolls.

Under Tennessee law, convicted felons lose their voting rights.

Those rights can be restored under certain circumstances and procedures.

State code has changed over the years so a felony conviction during certain time frames and for certain crimes has carried different rules on whether or not a convicted felon's voting rights were permanently revoked or could be restored through the state's restoration process.

During a meeting Tuesday of the Sullivan County Election Commission, Booher said his office has been looking at lists provided by the Tennessee Election Coordinator's Office — and it appears about 100 convicted felons have fraudulently registered and fraudulently voted in Sullivan County.

The Times-News later asked Booher if he or his staff had cross-checked the names in question to see if any of them have in fact had their voting rights restored.

"We're looking at that," Booher said. "That's why I didn't want to give you an exact number."

Booher said he classifies the questionable registrations into several categories, including:



- One — people who were already registered to vote when they were convicted of a felony — and who have not voted since that conviction.

- Two — people who were already registered to vote when they were convicted of a felony — and they have voted since that conviction.

- Three — people who were not registered prior to being convicted of a felony, and they registered after the conviction — by falsifying answers on their voter registration application — and they have since voted.

“We’ve looked at everyone in categories one through three,” Booher said. “The list we received from the state identifies a little over 200 people. Some of those people ... not everything matches up. (In) categories one, two and three, their names, Social Security numbers and dates of birth are all exact matches.”

Those account for approximately 120 to 130 people, Booher said.

“Now, not every single one of those individuals voted after their conviction,” Booher said. “So some of those people did not do anything illegal. But I’ve already identified several ... I’ve not dotted the i’s and crossed the t’s on everything — but that’s something we will do before we proceed — that registered to vote fraudulently and voted fraudulently.”

Booher told the local Election Commission he’d provide them with a list of names to take to the district attorney’s office for potential prosecution next month.

“We’ll present the names and the information to Greeley on the people that broke the law,” Booher told the Times-News. “And there are two categories of people who broke the law. Those that were registered to vote and convicted of a felony after the fact. That category of people ... most likely they didn’t realize ... the judge didn’t tell them they lost their voting rights. And the burden is somewhat on this office, too, to get the information from the (circuit court) clerk’s office. And we get that on a daily basis, almost, or at least a weekly basis, we get all the judgments from Sullivan County. Any judgments from any other counties, that county is supposed to look and see in the state system if that person is registered to vote in any other county, and if so, they forward us that information so we can cancel them.”

Those people, Booher said, just “slipped through the cracks.”

“For some reason we didn’t get the notification,” Booher said.

The local Election Commission, Booher said, will include those names in a list it will present to the district attorney’s office to let Wells know “they technically violated the law, but they may have done so unknowingly and innocently.”

Those in the third category, however, are people who “consciously falsified their information and knowingly broke the law,” Booher said — and for most of those people, he will “recommend and highly encourage” Wells to seek indictments.

Booher said elsewhere in the state, Lauderdale County already has gotten nine indictments in a similar effort — working off the same list Booher received from the Tennessee Coordinator of Elections Office.

That office, Booher said, recently took a list of convicted felons provided by the Tennessee

Department of Corrections and matched it against voter rolls statewide.

"If there was a hit, or a match, they notified us," Booher said.

Booher said he's not sure how often the state has provided such lists in the past, but he was told it "will be a quarterly thing."

Booher said one man on the list, now 82 years old, registered in 1963 — but 90 percent or more of the voters in question registered in the past 10 years.

As far as the 82-year-old, he last voted in November 2000, Booher said, "so there's nothing we can do about that, except cancel him and tell him if he wants to vote ... he'll have to have his rights restored."

"If we did receive this information in the past — and I believe we did — I don't know that it was really a priority in the past," Booher said. "I'm not saying that to try and throw anybody under the bus at all. I'm just saying it wasn't something that was taken as a priority and maybe not processed fully and full attention given to it. This person may have been on one of these reports for several years and just really never done anything about. But we're doing something about it now."

Booher said he hasn't seen any patterns so far "as far as any conspiracy or anything. But I'm not saying that there isn't."

"In my opinion if we don't have a pure election and do everything we possibly can to ensure that we have a pure election, that our rolls are pure, and that everybody on the registered voter rolls is someone that's legally registered to vote, then everything our democracy is founded on ... this is the foundation of it, and if you don't keep the foundation of it built up, then everything else crumbles."

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# The Daily Progress

Published: October 09, 2009

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## More voter fraud indictments in Virginia?

By Tasha Kates

LOUISA — Accusations of voter fraud might be made elsewhere in Virginia after two people were indicted in Louisa County in connection with the 2008 presidential election.

Tom Garrett, Louisa commonwealth's attorney, said Thursday that authorities "from Lynchburg to Hampton Roads" have contacted him as they conduct their own investigations. Garrett said Louisa could see more voter fraud indictments, but not anytime soon.

"I will not tell you there will be further indictments in the immediate future, but I anticipate we'll continue to work with the registrar to make sure the voting process is unadulterated," Garrett said.

A Louisa grand jury last month indicted 57-year-old Bonnie R. Nicholson and 55-year old Bernard L. Pace on charges of illegal voting on Nov. 4, 2008, and election fraud, forgery and uttering charges on different days. Within the last week, both Louisa resident Nicholson and Madison resident Pace turned themselves in to authorities.

Under Virginia code, "illegal voting" encompasses several actions. A person can be convicted of the Class 6 felony if he votes in more than one election in Virginia or in Virginia and another state, "procures, assists or induces" someone to do so, votes knowing he isn't qualified to vote or helps someone do so.

Nicholson and Pace were charged under direct indictments and haven't been arraigned, so further specifics weren't available about what they are accused of under the illegal voting indictments. Garrett also wouldn't comment on those specifics, but he confirmed that their cases are not related.

A person convicted of illegal voting can face one to five years in prison, according to state statute.

Cristy E. Watkins, the county's registrar, said the state Board of Elections contacted her office because two people may have violated the voting laws.

The state board keeps a prohibited-voter database that includes people convicted of felonies, those declared mentally incompetent and the deceased, said Barbara Cockrell, the agency's director of operations. The database is maintained with information from the Virginia State Police and local court records.

Potential voters who submit an application can be rejected if they have been convicted of a felony, have been declared mentally incompetent or aren't U.S. citizens.

When a registered voter becomes a convicted felon, Cockrell said, the local registrar and the felon are notified.

According to court records, Nicholson turned herself in Oct. 1 and is out on a \$1,000 personal recognizance bond. She is scheduled to be arraigned Oct. 19.

She could not be reached for comment Thursday.

A court date for Pace, who turned himself in Wednesday, has not been set.

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Thursday, January 6, 2011

### PDC man pleads guilty to voter fraud

LANCASTER, Wis. -- A 74-year-old Prairie du Chien man pleaded guilty on Tuesday in Grant County Circuit Court to a misdemeanor charge of voter fraud for voting more than once in September.

Irving Anders was fined \$500 and ordered to pay court costs totaling \$883.

On Sept. 9, Anders obtained and filled out an absentee ballot from Prairie du Chien Township in Crawford County. Four days later on Sept. 13, he obtained and filled out an absentee ballot from Millville Township in Grant County.

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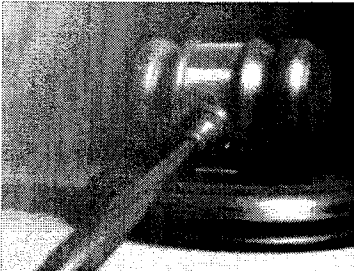
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## Former Morningside student sentenced for voter fraud

Posted: Jan 03, 2011 7:59 PM MST



SIoux CITY, Iowa (KTIV) -- A former Morningside College student could be deported for claiming to be a United States citizen so he could vote.

Christopher Mettin, of Germany, pled guilty to one of the two counts he was originally charged with and was sentenced to time already served, which was 52 days.

He had also been charged with falsely representing himself as a U.S. citizen, but that charge was dropped.

Mettin is in the custody of immigration agents.

A formal complaint said Mettin entered the country legally with a student visa to study at Morningside.

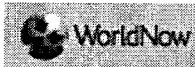
But, in October, prosecutors say the college terminated Mettin's visa for "failing to maintain status."

The real trouble started in September.

Mettin allegedly checked a box stating he was an U-S citizen on a voter registration form.

He's still a German citizen.

Online Producer: [Kristie VerMulm](#)



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# clarionledger.com

## Last person in Benton vote fraud case sentenced

The Clarion-Ledger • January 11, 2011

A Hickory Flat man is the final person to be sentenced in connection with a large Benton County voter fraud investigation, Attorney General Jim Hood announced Tuesday.

David Massey, 40, was sentenced to five years in prison after he entered an open plea in Benton County Circuit Court, Hood said. Massey was indicted on conspiracy to commit voter fraud and three counts of voter fraud.

Massey is the 16th person to be sentenced in the case that stemmed from vote buying in 2007 Benton County elections.

Massey initially was offered a plea deal for a suspended sentence to testify against his fellow defendants, but the deal was negated after he was later charged with sale of a controlled substance, Hood said. Massey also was ordered to pay a \$5,000 fine.

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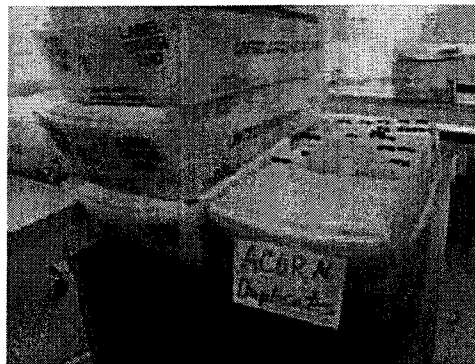
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POSTED: 5:02 pm CST November 1, 2006

UPDATED: 10:25 pm CST November 1, 2006

**KANSAS CITY, Mo.** -- Four people have been indicted on charges of voter fraud in Kansas City, officials said Wednesday.

Investigators said questionable registration forms for new voters were collected by the Association of Community Organizations for Reform Now, a group that works to improve minority and low-income communities.



The four indicted -- Kwaim A. Stenson, Dale D. Franklin, Stephanie L. Davis and Brian Gardner -- were employed by ACORN as registration recruiters. They were each charged with two counts.

Federal indictments allege the four turned in false voter registration applications. Prosecutors said the indictments are part of a national investigation.

ACORN and Project Vote recruit and assign workers to low-income and minority neighborhoods to register people to vote.

The Kansas City Election Board told KMBC they found suspicious forms, such as seven applications from one person and an application for a dead man.

"There is some motive behind it -- this is not accidental," said Ray James with the Kansas City Election Board.

Election officials said some of the application cards had false addresses, signatures and phone numbers.

ACORN officials in Kansas City said they turned in the four people who were indicted.

"We're very happy that they were indicted," said Claudie Harris with ACORN.

Harris said ACORN workers are paid by the hour and not by the number of voter registration cards they turn in.

"When you fraudulently defraud this, that gives us a bad name and what we're trying to do a bad name," Harris said.

ACORN officials said the four indicted have been fired.

Harris said ACORN workers check every voter registration card before sending it to the Election Board.

Last month, ACORN claimed to have processed more than 35,000 voter registration



**The New York Times**

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May 5, 2009

## Acorn Charged in Voter Registration Fraud Case in Nevada

By STEVE FRIESS

LAS VEGAS — A prominent antipoverty organization that drew criticism from Republicans during last year's presidential race was charged by Nevada officials Monday with engaging in voter registration fraud.

Two former leaders of the group's Nevada branch were also charged in connection with the submission of thousands of bogus voter registration forms.

The organization, the Association of Community Organizations for Reform Now, or Acorn, is accused of paying canvassers only if they registered at least 20 voters per shift and providing bonuses of \$5 for registering more than 21.

Under Nevada law, it is illegal to attach incentives to such work, in part because it encourages canvassers to submit fraudulent forms, Secretary of State Ross Miller said.

Acorn submitted 91,002 completed forms in Clark County, which includes Las Vegas, of which 23,186 turned out to be valid new voters who voted in November, according to data provided by Mr. Miller's office.

Mr. Miller investigated Acorn at the behest of the Clark County registrar of voters, Larry Lomax, who noted a high number of forms turned in featuring the names of famous football players and cartoon characters.

"This is not a case of voter fraud, it's a case of voter registration fraud," Mr. Miller said. "I'm very confident that none of these fraudulent voter forms found their way into the voter registration rolls or to cast votes."

The indictment includes 13 counts each against Acorn and its former Las Vegas field director, Christopher Edwards, who is accused of creating an incentive program called "blackjack" because \$5 was paid for signing more than 21 prospective voters.

Also indicted was Acorn's former deputy regional director, Amy Busefink, on 13 counts of principle to the crime of compensation for registration of voters. Each charge carries a potential one- to four-year prison term and a \$5,000 fine.

Acorn's national spokesman, Scott Levenson, called the indictments "political grandstanding" by Mr. Miller and Attorney General Catherine Cortez Masto, both Democrats.

Mr. Levenson said Acorn had fired both employees and has cooperated with investigators.

"This is in complete violation of Acorn national policy, and to indict us is a clear case of blaming the victim," Mr. Levenson said. "We had an errant employee who violated our policy and he was ordered to stop."

Neither the former employees nor Las Vegas Acorn officials could be reached for comment.

In the final month of the campaign, supporters of Senator John McCain, the Republican presidential

candidate, charged that Acorn was trying to fraudulently enroll Democratic voters likely to support Mr. McCain's opponent, Senator Barack Obama.

Yet on Monday, Nevada Republicans said they doubted Acorn's activity had any impact on the outcome of the 2008 election in Nevada. Mr. Obama won the state by 12 percentage points.

"It wasn't that close," the state Republican chairwoman, Sue Lowden, said.

But Ms. Lowden added, "This is just the sort of thing that we need to be cracking down on now for a clean 2010 election."

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OPINION | MAY 9, 2009

## More Acorn Voter Fraud Comes to Light

*Congressional Democrats still want the group to be eligible for federal money.*

By JOHN FUND

Democrats are split on how to deal with Acorn, the liberal "community organizing" group that deployed thousands of get-out-the-vote workers last election. State and city Democratic officials -- who've been contending with its many scandals -- are moving against it. Washington Democrats are still sweeping Acorn abuses under a rug.

On Monday, Nevada officials charged Acorn, its regional director and its Las Vegas field director with submitting thousands of fraudulent voter registration forms last year. Larry Lomax, the registrar of voters in Las Vegas, says he believes 48% of Acorn's forms "are clearly fraudulent." On Thursday, prosecutors in Pittsburgh, Pa., also charged seven Acorn employees with filing hundreds of fraudulent voter registrations before last year's general election.

Acorn spokesman Scott Levenson calls the Nevada criminal complaint "political grandstanding" and says that any problems were the actions of an unnamed "bad employee." But Catherine Cortez Masto, Nevada's Democratic Attorney General, told the Las Vegas Sun that Acorn itself is named in the criminal complaint. She says that Acorn's training manuals "clearly detail, condone and . . . require illegal acts," such as requiring its workers to meet strict voter-registration targets to keep their jobs.

Other Democrats on the ground have complaints. Fred Voight, deputy election commissioner in Philadelphia, protested after Acorn (according to the registrar of voters and his own investigation) submitted at least 1,500 fraudulent registrations last fall. "This has been going on for a number of years," he told CNN in October. St. Louis Democrat Matthew Potter, the city's deputy elections director, had similar complaints.

Elsewhere, Washington state prosecutors fined Acorn \$25,000 after several employees were convicted of voter registration fraud in 2007. The group signed a consent decree with King County (Seattle), requiring it to beef up its oversight or face criminal prosecution. In the 2008 election, Acorn's practices led to investigations, some ongoing, in 14 other states.

The stink is bad enough that some congressional Democrats have taken notice. At a March 19 hearing on election problems, Michigan Rep. John Conyers, chairman of the House Judiciary Committee, pressed New York Rep. Gerald Nadler, chairman of the Subcommittee on the Constitution, Civil Rights and Civil Liberties, to hold a hearing on Acorn. He called the charges against it "serious." Mr. Nadler agreed to consider the request.

Mr. Nadler's office now says there will be no hearing on Acorn because Mr. Conyers has changed his mind. Mr. Conyers's office released a statement on Monday saying that after reviewing "the complaints against Acorn, I have concluded that a hearing on this matter appears unwarranted at this time." A Democratic staffer told me he believes the House leadership put pressure on Mr. Conyers to back down. Mr. Conyers's office says it is "unaware" of any contacts with House leaders.

Then there's Barney Frank, the chairman of the House Financial Services Committee. Last month, he voted for a committee amendment (to the Mortgage Reform and Anti-Predatory Lending Act) by Rep. Michelle Bachmann

(R., Minn.) to block groups indicted for voter fraud from receiving federal housing or legal assistance grants. Identical language was passed into law in the Housing and Economic Recovery Act of 2008. Mr. Frank now says he "had not read [the amendment] carefully" before backing it. He gutted the amendment on Thursday, claiming that the language Congress passed just last year is "a violation of the basic principles of due process."

A lot of money is at stake. In the stimulus bill passed by Congress, Acorn is eligible -- along with other activist groups -- to apply for \$2 billion in funds to redevelop abandoned and foreclosed homes. Meanwhile, public records show that last spring the IRS filed three tax liens totaling almost \$1 million against Acorn, most of which concerned employee withholding.

All of this infuriates Marcel Reid, who, along with seven other national Acorn board members, was removed last year after demanding an audit of the group's books. "Acorn has been hijacked by a power-hungry clique that has its own political and personal agendas," she told me. "We are fighting to take back the group."

Bertha Lewis, the head of Acorn, told me last year before their ouster that the "Acorn Eight" were "obsessed" and "confused." But Anita MonCrief, an Acorn whistleblower, says the problems run deep. Ms. MonCrief worked at Project Vote, an Acorn affiliate, in late 2007. She says its development director, Karen Gillette, told her she had direct contact with the Obama campaign and also told her to call Obama donors who had maxed out on donations to the candidate but who could contribute to Acorn. Project Vote calls her charges "absolutely false." (Ms. Gillette has declined comment.)

Acorn's relationship to the Obama campaign is a matter of public record. Last year, Citizens Consulting Inc., the umbrella group controlling Acorn, was paid \$832,000 by the Obama campaign for get-out-the-vote efforts in key primary states. In filings with the Federal Election Commission, the campaign listed the payments as "staging, sound, lighting," only correcting them after reporters from the Pittsburgh Tribune-Review revealed their true nature.

Mr. Obama distanced himself from the group's scandals last year, saying "We don't need Acorn's help." Nevertheless, he got his start as a community organizer at Acorn's side. In 1992, he headed a registration effort for Project Vote, an Acorn partner at the time. In 1995, he represented Acorn in a key case upholding the new Motor Voter Act -- the very law whose mandated postcard registration system Acorn workers use to flood election offices with bogus registrations.

But Acorn's registration tricks may soon be unnecessary. Congressional Democrats are backing a bill to mandate a nationwide data base to automatically register driver's license holders or recipients of government benefits.

This "would create an engraved invitation for voter fraud," says Hans von Spakovsky, a former Federal Election Commission member, who points out that these lists are filled with felons and noncitizens who are ineligible to vote. Ironically, in light of its troubles with the law, Acorn was selected in March to assist the U.S. Census in reaching out to minority communities and recruiting census enumerators for the count next year.

As for the Nevada indictment, Acorn isn't worried. "We've had bad publicity before, and all it does is inform the community that we're here working for the community," Bonnie Greathouse, Acorn's head organizer in Nevada, assured the Las Vegas Review-Journal this week. "People always come forward to our defense. We're just community organizers, just like the president used to be."

**Mr. Fund is a columnist for WSJ.com .**

Please add your comments to the Opinion Journal forum.

Printed in The Wall Street Journal, page A15

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## ACORN Registration Workers Charged With Felony Voter Fraud

Published March 08, 2010 | FOXNews.com

Five Wisconsin residents, including two who worked for community organizing group ACORN, were charged Monday with election fraud relating to the 2008 presidential election.

State Attorney General J.B. Van Hollen announced felony charges against Maria Miles, Kevin Clancy, Michael Henderson, Herbert Gunka and Suzanne Gunka.

Miles and Clancy worked for the Association of Community Organizations for Reform Now and are accused of submitting multiple voter registration applications for the same individuals, including each other, to meet voter registration quotas imposed by the community organizing group.

Henderson is charged with one count of voting by a disqualified person and providing false information to election officials. The allegation claims he was on a felony probation and prohibited from voting at the time.

Herbert and Suzanne Gunka are each charged with double voting -- a felony -- by allegedly absentee voting and then going to the polls to vote.


"The integrity of elections is dependent upon citizens and officials insisting they be conducted lawfully. Wisconsin's citizens should not have to wonder whether their vote has been negated or diminished by illegally cast ballots," Van Hollen said.

My FoxMilwaukee reported that neither could immediately be reached for comment, and it was unclear whether they had lawyers.


Each individual charge carries a potential penalty of imprisonment up to three and a half years and a \$10,000 fine. They are scheduled to appear in court on April 20.

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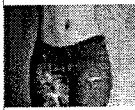
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## Former ACORN worker details blackjack voter registration bonuses

*A former field director testifies about extra payments to Las Vegas canvassers for bringing in 21 new registration cards in a day. A judge is considering whether his supervisor and the group will face trial.*

September 30, 2009 | Ashley Powers

**LAS VEGAS** — In the summer of 2008, with presidential contenders battling fiercely over the swing state of Nevada, Christopher Edwards was racing to register voters.

As the field director of ACORN's Las Vegas office, he brainstormed a way to motivate meagerly paid canvassers: If they turned in 21 or more registration cards in a day, they were each given a \$5 bonus.

"Hey, it's Las Vegas," Edwards testified Tuesday. "It's blackjack."

But Edwards' "blackjack bonuses," which he bragged about to other ACORN offices, broke the law, state prosecutors say. Nevada bars quotas or cash incentives in voter sign-up efforts: Officials fear they could lead to false registrations.

On Tuesday, a judge began considering whether Edwards' former supervisor, Amy Busefink, and the Assn. of Community Organizations for Reform Now will stand trial on 13 low-level felony charges of compensation for registration of voters. The evidentiary hearing will resume this morning.

Edwards, a former union organizer who once worked for former Democratic presidential candidate Howard Dean, has pleaded guilty to two misdemeanor counts. He took the stand Tuesday as the prosecution's star witness.

"No one in ACORN knew this was illegal," he told Justice of the Peace William D. Jansen.

In recent weeks, ACORN, a longtime target of Republican ire, has been battered by secretly recorded videos from other states that appear to show ACORN staffers advising two conservative activists — who were posing as a pimp and a prostitute — on tax evasion, human smuggling and child prostitution.

The IRS, Census Bureau and Bank of America have severed ties with ACORN, and Congress has voted to slash its federal funding. The controversies have heightened the attention paid to the Nevada case.

Clare Crawford, ACORN's deputy political director, called the charges here "political grandstanding," though Nevada's secretary of state and attorney general are Democrats. Their investigation began in 2008, after Clark County officials complained that some registration forms issued to ACORN had come back fraudulent — in one instance, someone had signed up much of the Dallas Cowboys' starting lineup.

Edwards, who said he was under pressure to boost the number of voter registration forms collected, oversaw as many as eight political organizers and their teams of canvassers. If canvassers, who made \$8 an hour, turned in fewer than 20 registration cards a day, their jobs were at risk.

"I seen a lot of people getting laid off," testified Dwain Dennie, an ACORN canvasser who worked outside a welfare office.

Edwards thought up the blackjack program as a response to canvassers who had falsified time cards or generally slacked off, he testified. It was an informal plan, announced on a huge office dry-erase board, but not in e-mails or memos — a fact that drew some derision from Jansen.

ACORN attorney Lisa Rasmussen suggested that bonuses marked on time sheets might have been for mileage, working in extreme heat or speaking multiple languages — not blackjack incentives.

Edwards, however, said that Busefink not only signed off on the program, she suggested that canvassers turn in more cards to get the bonus. She also praised the program, Edwards testified, saying it capitalized on the "Las Vegas mystique."

Defense attorneys, however, portrayed Edwards as a rogue director with a "maverick attitude" who rarely informed superiors of his plans. Busefink attorney Kevin Stolworthy suggested that Edwards was bitter over workplace squabbles.

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Tuesday, Jan 18, 2011

Posted on Fri, Oct. 02, 2009

## Dodge sheriff pleads not guilty; voter fraud probe ongoing

**BY RODNEY MANLEY**

DUBLIN — Former Dodge County Sheriff Lawton Douglas Jr. and two co-defendants pleaded not guilty Thursday to federal vote-buying and conspiracy charges stemming from elections in 2004.

After the hearing, an investigator hinted that more charges and arrests could be forthcoming from an ongoing investigation by the Georgia Secretary of State's Office, FBI and GBI.

"This is just the 2004 election," said Greg Harvey, agent in charge of the GBI office in Eastman. "We're still investigating the 2008 election."

Douglas, 37, was indicted in July on two counts of conspiracy and four counts of vote buying. Olin Norman "Bobo" Gibson, 43, of Helena, also was indicted on all six counts, while a third defendant, Thedy Deneen McLeod, also 43, is charged with two counts of conspiracy.

McLeod has been to federal court before on vote-buying charges. She was implicated in 1996 when Dodge County was targeted in what federal officials described at the time as the largest election-fraud prosecution in U.S. history.

More than two dozen people — including several county officials — either were convicted or pleaded guilty to charges that included vote buying and that people voted under the names of the dead. McLeod pleaded guilty to one count of conspiracy to buy votes and was sentenced to four weekends in jail, three years on probation and 100 hours community service.

In court Thursday, U.S. Magistrate Judge Leon Barfield summarized the government's latest allegations, saying Douglas, Gibson and McLeod conspired to "buy votes and have persons vote more than once" in the July primary and August runoff that year.

Douglas is accused of giving money to Gibson, McLeod and others to pay people to vote for him in the elections. Besides cash, Gibson and McLeod, who is also identified in court documents as Deneen Gordon, also gave voters alcohol and drugs, according to the indictment.

"He's innocent," Douglas' attorney, Paul Kish of Atlanta, said after Thursday's arraignment. "We're looking forward to our day in court."

Assistant U.S. Attorney Brian Tanner told Barfield that he planned to turn over to defense attorneys 327 pages of evidence consisting mostly of summaries of FBI and GBI interviews and witness testimony before the grand jury. The evidence also includes a CD of tape recordings, Tanner said.

After the hearing, Tanner declined to say whether the recordings were of interviews or of secretly taped conversations.

To ensure that paid voters actually voted for Douglas, his supporters transported voters to the polls and accompanied them into the voting booth, according to the U.S. Attorney's Office.

The indictment also alleges that Douglas and Gordon purchased and obtained blank absentee ballots from voters, which they then completed with votes for Douglas and submitted to be counted in the election.

Court records identify at least two voters by their initials who were allegedly paid cash to vote for Douglas.

The charges each carry a maximum of five years in prison, a \$250,000 fine and three years supervised release, Barfield said.

Douglas, Gibson and McLeod were released on \$10,000 bail bonds and ordered not to travel outside the court's southern and middle districts. Barfield also warned them not to contact witnesses or each other without their attorneys present.

Also Thursday, Harvey issued a statement saying that a special prosecutor had been appointed to handle any state charges that might come out of the investigation. Oconee Circuit District Attorney Tim Vaughn has disqualified his office from the case and asked for the special prosecutor, the statement said.

State Attorney General Thurbert Baker has tapped Brunswick Circuit District Attorney Steven Kelly for the job, and Kelly has assigned Assistant DA David Perry to handle the case.

In 2004, Douglas, a former Helena police chief and Dodge County commission chairman, defeated former Eastman police Sgt. Dan Wilcox in a runoff to unseat incumbent Sheriff Ed Graham. There were no Republican challengers.

Wilcox, who was bidding to become Dodge County's first black sheriff, had finished as the top vote-getter in the primary. After the runoff, Wilcox told The Telegraph that he had heard reports of voting irregularities.

Douglas lost his bid for re-election last year.

In the 1996 case, former Sheriff Jackson Jones and former County Commissioners J. Don McCranie and Doyce Mullis all served time in prison.

To contact writer Rodney Manley, call 744-4623.

thesouthern.com

## Lawsuit links several defendants to vote scheme

**JIM MUIR THE SOUTHERN** | Posted: Saturday, June 4, 2005 12:00 am

**PULASKI COUNTY** - A saga that began more than five years ago amid accusations of voter fraud in Alexander County has resurfaced in Pulaski County Circuit Court in the form of a civil lawsuit naming numerous high profile defendants and asking more than \$2.5 million in compensatory damages.

The suit, filed by former Alexander County Circuit Clerk Susan Hileman, alleges her civil rights were violated and she was deprived of the right to a fair election when she ran for re-election as an incumbent circuit clerk.

The multi-count lawsuit stems from allegations several county, state and union officials masterminded a vote-buying scheme during the March 21, 2000, Alexander County primary election.

Named as defendants are:

1 Former state Sen. Larry Woolard

1 Edward Smith, vice president of Laborers International Union and a member of Laborers Local 773

1 Alexander County Sheriff Warren "Buddy" Mitchell

1 Alexander County Circuit Clerk Sharon McGinness

1 Former Alexander County Clerk Lewis Maze

1 Alexander County Commissioner Lewis R. McRoy

1 Former Alexander County sheriff's deputy Joey Thurston, who currently serves on the Cairo City Council

1 John Price, a business agent for Laborers Local 773

1 Jim Aveary, of Alexander County

1 Danny Brown, of Alexander County

1 James Taylor, of Alexander County

1 Committee to Elect True Democrats

1 Committee to Elect Sharon McGinness

1 Citizens for Woolard

1 Laborers Local 773

Allegations surfaced in mid-February 2000, only days after absentee voting began in Alexander County, that people were being paid to vote for specific candidates. Several courthouse employees reported witnessing numerous absentee voters carrying small pieces of paper with four numbers - 35, 64, 83 and 104 - written on them. It was also reported that voters were being paid \$3 to vote after they returned to a parking lot adjacent to the courthouse.

The four candidate names that corresponded with the numbers on the primary ballot were McGinness (83), Woolard (64), McRoy (104), and Smith (35). Smith was a candidate to be a delegate for Al Gore at the 2000 Democratic National Convention; the others ran for the offices indicated. All four were victorious in the primary.

After complaints were registered, the Illinois State Board of Elections and the Attorney General's office both conducted investigations prior to the primary election. The investigations centered on a political action committee that was operated through Laborers Local 773 in Cairo.

The Committee to Elect True Democrats received sizable donations from three of the four candidates who were linked to the vote-buying scheme. McGinness contributed \$6,300, Woolard contributed \$6,000 and McRoy contributed \$5,000.



The lawsuit alleges that Aveary, Thurston, McGinness, Taylor and Brown received nearly \$10,000 from the Committee to Elect True Democrats - money that was later dispensed in exchange for votes.

The latest suit is not the first time Hileman has been in court with McGinness alleging that the election was tainted. Hileman, an incumbent who had been circuit clerk for 16 years, was defeated by McGinness by 200 votes in the primary in question but claimed that vote buying and voter fraud swayed the election and filed suit asking for a new election.

In May 2000, Associate Judge John Speroni ruled the Democratic nomination for circuit clerk was invalid because of voting irregularities and ordered a new election. McGinness then appealed that decision to the 5th District Appellate Court, which granted a stay on the new election and sent the matter back to the circuit court for an evidentiary hearing to determine if fraud took place.

During a three-day evidentiary hearing in June 2001, more than a dozen witnesses testified they were paid to vote and that vote-buying and vote fraud - particularly among absentee voters - was prevalent during the primary election. Ten days later Speroni ordered McGinness removed as circuit clerk. One week later the Alexander County Board voted unanimously to reappoint McGinness to the position from which Speroni ordered her removed.

Hileman, who is represented by Mount Vernon attorney Morris Lane Harvey, first filed the civil suit in U.S. District Court, but the matter was remanded to state court.

Along with asking for \$150,000 from each of the 17 defendants, Hileman also is seeking a jury trial.

[writeon1@shawneelink.net](mailto:writeon1@shawneelink.net)

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- Oklahoma Watchdog - <http://oklahoma.watchdog.org> -

## Felony charges filed against Adair County man in voter fraud case

Posted By [Andrew Griffin](#) On July 14, 2010 @ 9:10 pm In [Featured, News](#) | [6 Comments](#)

By **ANDREW W. GRIFFIN**

*Oklahoma Watchdog*, editor

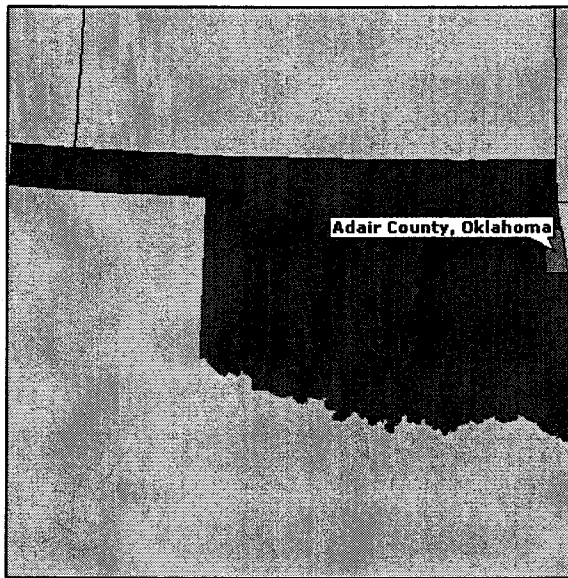
Posted: July 14, 2010

[andrew@oklahomawatchdog.org](mailto:andrew@oklahomawatchdog.org) <sup>[1]</sup>

STILWELL, Okla. – Reports have trickled in to *Oklahoma Watchdog* over the past several months regarding allegations of voter fraud taking place in Adair County in eastern Oklahoma.

The Adair County District Attorney's office filed felony charges against Adair County resident Darryl Cates.

Cates, 73, of Westville, Okla. had [four counts](#) <sup>[2]</sup> brought against him July 13<sup>th</sup> in the District Court of the 15<sup>th</sup> Judicial District of Oklahoma: two were for false affidavit in voting registration and two for false notarization of absentee ballot. This was signed off by Assistant District Attorney Larry Langley. The crime Cates is accused of is punishable by imprisonment for up to 2 years and a fine up to \$5,000.



District Attorney Jerry Moore <sup>[3]</sup> said there was not a whole lot he could say about the case at this time.

Asked if there was a concern about the recent absentee ballots sent out earlier this month, which according to sources in Stilwell many of which were mailed to Cates, Moore said "I don't know if there is an investigation on the ballots. I have no knowledge on the current election" absentee ballots.

*Oklahoma Watchdog* spoke with a well-respected source in Adair County who explained that the sort of activities Cates is alleged to have been involved in have been going on for "15 or more years."

"Cates has two post office boxes, one in Stilwell and one in Westville and the ballots are mailed to them. He then takes the ballots to people who requested them. Then, he gets them to vote and notarizes them," claimed the source.

"Something needs to be done. If (Cates) is not breaking the law, it's certainly improper. People need to exercise their right to vote and not give him their ballot. They need to mail it themselves," added the source.

"I don't know if I can tell you a whole lot more," added Moore.

A number said to be for Darryl Cates of Westville was called and the man who answered said the number did not belong to Cates.

Attempts to reach someone with the Adair County Election Board were unsuccessful.

Paul Ziriox, secretary with the Oklahoma State Election Board, said that his office received a report of "concerns" related to voter fraud from the Adair County Election Board. They, in turn, forwarded that information to the District Attorney's office.

"Any time there are allegations of election fraud, we take these allegations and suspicions seriously," Ziriox said.

Adair County Sheriff Austin Young was also unavailable and it was still unclear if Cates had been arrested.

Young was [quoted](#) <sup>[4]</sup> in the *Stilwell Express* last week, when asked about alleged voting discrepancies in the last school board election in Cave Springs. Young said it was up to the DA to "pursue a case" and had confirmed an investigation was underway in the Cave Springs case.

Cates' attorney, Rex Earl Starr of Stilwell, had not returned a call to *Oklahoma Watchdog* on late Wednesday afternoon.

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[2] four counts: [https://docs.google.com/viewer?a=v&pid=gmail&attid=0.1&thid=129d18ff3146c78b&mt=application/pdf&url=https://mail.google.com/mail/?ui%3D2%26ik%3Df0925c93af%26view%3Datt%26th%3D129d18ff3146c78b%26attid%3D0.1%26disp%3Dattd%26zwl%26sig=AHIEtbRqH1sG8J35MoqFP\\_bPk72DCkwsKQ](https://docs.google.com/viewer?a=v&pid=gmail&attid=0.1&thid=129d18ff3146c78b&mt=application/pdf&url=https://mail.google.com/mail/?ui%3D2%26ik%3Df0925c93af%26view%3Datt%26th%3D129d18ff3146c78b%26attid%3D0.1%26disp%3Dattd%26zwl%26sig=AHIEtbRqH1sG8J35MoqFP_bPk72DCkwsKQ)

[3] Image: <http://oklahoma.watchdog.org/files/2010/07/adaircountyokla.gif>

[4] quoted: <http://www.reddirtreport.com/news.php?id=15832>

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## KC legislator may be denied seat over fraud allegations

By Tony Messenger • [tmessenger@post-dispatch.com](mailto:tmessenger@post-dispatch.com) > 573-635-6178 | Posted: Monday, December 27, 2010 12:15 am

**JEFFERSON CITY** • Incoming Speaker of the House Steve Tilley says he may refuse to seat a new representative from Kansas City because of allegations of voter fraud in the Democratic primary.

Such a move would be exceedingly rare but allowed under Missouri law, and it would cast a bright light on a topic Republicans in Missouri have been pushing unsuccessfully for several years: the concept of requiring every voter to present a photo ID when voting.

Supporters of voter ID legislation say it is needed to prevent fraud, but they've had scant evidence of actual fraud in Missouri. Tilley said Republicans expect to push a similar bill this year, and while he said he hesitates to politicize the allegations in the Kansas City race, he is sure the evidence will give pause to those who don't believe voter fraud exists.

Tilley was presented this month with a nearly 100-page document alleging widespread voter fraud from failed Democratic candidate Will Royster, who lost the primary in the 40th legislative district to John J. Rizzo by a single vote.

Rizzo won the general election against a Libertarian candidate, and he said Royster's complaints are 'sour grapes.'

But Tilley is taking them seriously.

"Clearly there's a lot of smoke," Tilley said of Royster's allegations, which include that relatives and supporters of Rizzo's who live outside the district illegally cast votes and that a group of Somalis who couldn't speak English were instructed how to vote by a Rizzo supporter.

Royster has been waging an unsuccessful court battle to seek a hand recount of the ballots in the August primary because of multiple irregularities in the election. Judge Stephen Nixon refused to grant a detailed hand recount — where each ballot is inspected and can be challenged. Nixon ruled that despite finding numerous instances of 'suspicious' conduct, "mistakes" and a failure of election judges to properly sign ballots, the allegations came up short of proving fraud.

An appeals court upheld Nixon's decision.

But Royster and his allies have continued to develop new evidence that they couldn't present at court. Among the allegations:

- Throughout primary election day, an unidentified Rizzo supporter brought groups of voters to various precincts who appeared to be Somalis who did not speak or read English. According to affidavits from several election judges, the Rizzo supporter handed out the ballots and told the Somalis to vote for Rizzo.
- Several Rizzo campaign supporters, including relatives, voted in the election even though in campaign documents they list home addresses that are outside the 40th District.
- A total of 14 ballots weren't signed by any election officials, as required by law.

Royster also questions the independence of Nixon, who announced his retirement as a judge this month and then took a job as county counselor for Jackson County. Rizzo's father, Henry Rizzo, is the chairman of the Jackson County Legislature.

"There are so many irregularities, it's astonishing," Royster said. "This is one of the most blatant cases of voter fraud I've ever heard of."

### THE RECOUNT

On primary election night, Rizzo actually won by 10 votes. The number was then narrowed to six, and then three. By the time the secretary of state conducted an automated recount, the margin was down to one vote.

What Royster seeks, and was denied by Nixon, is a more specific, ballot-by-ballot recount where both sides can individually inspect each ballot and challenge those that appear to have problems. That is the kind of recount that Democrat Barbara Fraser asked for and received in her close general election race for the 24th District Senate seat against John Lamping in St. Louis County.

Lamping won the race, but the recount narrowed his margin over Fraser.

It's also the kind of recount that Rizzo was granted by the Kansas City Board of Election in 2006 when he lost his primary to then-state Rep. John Burnett.

With only a one-vote margin, Tilley said he doesn't understand why such a recount hasn't taken place.

"With the election decided by only one vote, a hand recount should be warranted," Tilley said.

The incoming speaker, a Republican from Perryville, said he has instructed his general counsel to examine the evidence provided by Royster and make a recommendation on whether the case has merit and what the remedy might be.

Tilley could choose not to allow Rizzo to take his seat.

Or he could send the matter to the House's elections committee and give that committee subpoena power to conduct an investigation.

Rizzo said he doesn't see a need for any sort of a recount.

"It's one vote," Rizzo said. "It is what it is. Every judge has agreed with me through the entire process.

"This election has been scrutinized more than any election in Missouri history, and it has stood the test every time."

## THE JUDGE

Royster said the first judge to hear the case, Nixon, should have recused himself. Because the judge and the circuit get much of their funding from the Jackson County Legislature, he had a conflict of interest in deciding a case involving the son of the man — Henry Rizzo — who controls some of those purse strings, Royster said.

"Nixon is completely tainted by political and personal bias," Royster argues.

Nixon, who could not be reached for comment, was appointed to his new job by County Executive Mike Sanders, but he had to be approved by the Legislature.

Royster calls that job Nixon's "payback."

Henry Rizzo said he had nothing to do with it.

"I had no say over that," Rizzo said. "That has nothing to do with me."

John Rizzo, the incoming House member, said he understands that "on its face" the Nixon appointment so soon after the court case looks bad.

But he says there's no connection between the two events.

"For them to call Judge Nixon's integrity into question is absurd," he said.

Nixon retires from the Jackson County bench Friday.

In his ruling, he agreed with much of the evidence provided by Royster in court that there were numerous irregularities in the Aug. 3 election.

Wrote Nixon: "The evidence does not establish that the conduct was fraudulent, that any person who was not registered to vote voted, or that any registered voter was prevented from casting their ballots as they intended."

After losing the court case, Royster filed an open records request to obtain the full voter list of who voted in the 40th District on Aug. 3. Those records raised even more questions about the election.

For example, the records identify four voters who are Rizzo supporters who, according to other public records, live outside the district.

Further, an analysis of the birth dates on the database of about 1,800 voters shows an anomaly: 53 of the voters, most with Somali-sounding names, list a birthday of Jan. 1.

"We couldn't produce that evidence in court," Royster said. "But we can give it to the speaker."

## PERSONAL BATTLE

It would be an understatement to say the battle between Royster and the Rizzos has created personal animosity between them.

"The guy is a nut," Henry Rizzo said of Royster.

The junior Rizzo also questions Royster's mental state.

"For them to do that is a shallow deflection," Royster said.

The former Navy pilot suffers from post-traumatic stress disorder. He says any implication that he's "unfit" is a 'slap in the face to every service member who has ever served in the military."

The two political rivals might end up in a Capitol hearing room to hash out the issue depending on how Tilley responds to Royster's request.

For his part, Rizzo said he thinks Tilley will find 'smoke and mirrors" and drop the matter.

Tilley said the "issue could be a very thorny and polarizing one," but that to "uphold the sanctity of the voting process" he has to take the complaint seriously.

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## Wis. prosecutors charge man with election fraud

Associated Press - January 5, 2011 4:55 PM ET

MADISON, Wis. (AP) - Prosecutors in Milwaukee have charged a 62-year-old man with election fraud.

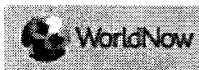
According to a criminal complaint, Wayne Soward of Brown Deer was convicted of felony cocaine possession in 2003. He was on extended supervision when he voted on Nov. 2.

Wisconsin law prohibits anyone serving a felony sentence from voting.

Prosecutors charged Soward on Tuesday with two counts of felony election fraud - one count for voting and the other for stating on a voter registration application he was a qualified elector. Soward could face up to \$20,000 in fines and seven years in prison if convicted on both charges.

Online court records did not list the case or an attorney for Soward. His attorney in his cocaine case, Martin Kohler, says Soward hasn't contacted him.

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## Indictments Handed Down in Change-of-Government Case

(Created: Monday, December 27, 2010 8:50 AM EST)

The Arlington County Commonwealth's Attorney's office on Dec. 20 announced the indictment of two individuals on charges related to the gathering of signatures during this year's change-of-government effort.

The documents charge Cheryl Simmons with voter fraud and William Cockerham with a false statement on a required state form.

The indictments were handed down by an Arlington grand jury. The charges are felonies, with a maximum penalty of up to 10 years in state prison and fines.

Simmons gathered signatures as part of the unsuccessful effort to get a change-of-government effort on the Nov. 2 ballot. The 2,200 signatures she allegedly gathered were rejected by the county elections office because Simmons was a convicted felon, and therefore prohibited under state law from verifying petition signatures.

Organizers of the petition drive fell short of the 14,350 signatures needed to get the measure on the ballot.

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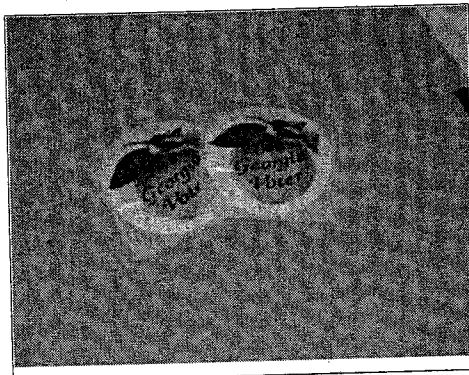
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Wed., December 22, 2010 3:03pm (EST)

## Voting Irregularities Lead To Ten Arrests In South Georgia

By Josephine Bennett

Updated: 4 weeks ago



Ten people have been arrested in South Georgia following a 5-month investigation into voter fraud. They're accused of illegally helping people vote by absentee ballot.

The arrested include members or newly-elected members of the Brooks County School Board in Quitman. State officials say 979 absentee ballots were cast in the July primary election, an unusually high number.

Secretary of State Brian Kemp says his office and the GBI conducted 350 interviews during the investigation. He says people need to be very careful handling absentee ballots.

"Once the voter receives their ballot in the mail they need to vote it and seal it up and mail it back unless they are physically unable to do that. There shouldn't be anyone else handling their ballot."

Those arrested face felony charges for illegally possessing ballots and violating voting procedure. GBI officials say more arrests could be made and more charges filed.

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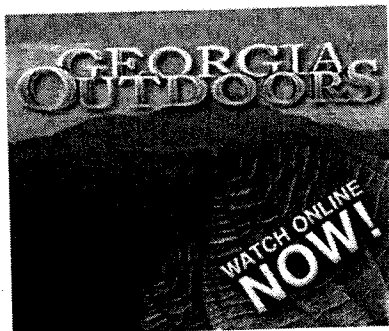
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News

## Grand jury goes back to work on voter fraud case

Thursday, January 13, 2011

By Dave Canfield  
The Record

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TROY — After a lengthy hiatus through the holidays, testimony resumed Thursday before an extended grand jury hearing evidence of alleged voter fraud against two Democratic officials.

It is unclear when the 23-member panel will vote on whether to file criminal charges against Councilman Michael LoPorto or county Democratic Election Commissioner Edward McDonough, both of whom are accused of major roles in a scandal that saw dozens of absentee ballots fraudulently cast in the Sept. 15, 2009 Working Families Party primary election.

The grand jury was to expire at the end of December, but special prosecutor Trey Smith was successful in obtaining an extension through the end of January, court officials said. Michael Feit, who represents LoPorto, said last week that he opposed that extension.

Among other issues with the grand jury process, Feit had expressed concerns that Supreme Court Judge Patrick McGrath had empanelled the grand jury. The judge's brother, Councilman Kevin McGrath, testified on Dec. 8 before the panel and is one of nine Democrats, including LoPorto and McDonough, who have given DNA samples to State Police in connection with the investigation.

As soon as Feit expressed his concerns, the judge recused himself from involvement, Feit said. He said he had no reason to believe McGrath knew the grand jury would hear the voter fraud case at the time it was empanelled.

Both Feit and Brian Premo, who represents McDonough, said last week there were no discussions of any plea deals.

To date, the grand jury has heard from about 30 witnesses behind closed doors.

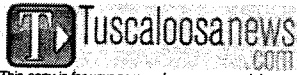
No judge has yet been assigned to hear a criminal case stemming from the proceedings, the court clerk's office said.

The other Democrats who gave DNA samples were Council President Clement Campana, Councilmen Gary Galuski and John Brown, City Clerk William McInerney, committeeman Anthony DeFiglio and Brown's brother, Daniel.

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## Hale voter fraud trial under way

### Former clerk faces 13 felony charges

By Jason Morton Staff Writer

Published: Tuesday, August 31, 2010 at 3:30 a.m.

GREENSBORO | The prosecution and defense will give their opening statements today in the voter fraud trial of former Hale County Circuit Clerk Gay Nell Singleton.

The trial began Monday at the Hale County Courthouse with the selection of the jury.

A jury pool of more than 100 people assembled in the courtroom at the courthouse that dates back to 1907, and prosecutors and defense attorneys distributed a lengthy questionnaire to help pare down the group to 12 jurors plus alternates.

Retired Fifth Judicial Circuit Judge Howard Bryan has been appointed to oversee the trial taking place in the state's Fourth Judicial Circuit. Hale County Circuit Court Judge Marvin Wiggins, Singleton's brother, was previously reprimanded by the Court of the Judiciary for not stepping aside from the voter fraud investigation targeting his relatives.

Singleton, who was indicted under the name Gay Nell Tinker, is married to state Sen. Bobby Singleton, D-Greensboro,

though the couple is separated.

Gay Nell Singleton was arrested in 2008 and faces 13 felony charges, including accusations of forging absentee ballots, stemming from a voter fraud investigation led by the state Attorney General's office. She was freed on \$13,000 bail and has pleaded not guilty.

Prosecutors say she committed the voter fraud offenses during her term as Hale County Circuit Clerk from January 2001 to December 2007.

Gay Nell Singleton was indicted seven months after a Hale County grand jury indicted Valada Paige-Banks, 45, and Rosie Lyles, 68, in August 2007.

Paige-Banks and Lyles were charged with second-degree possession of a forged instrument — an absentee voter affidavit — with the knowledge that it was forged, and four additional counts of promoting illegal absentee voting.

Lyles, 69, pleaded guilty to third-degree criminal possession of a forged instrument, a misdemeanor, on Aug. 31, 2009, and received a 12-month suspended sentence. Paige-Banks, 47, pleaded guilty to the same charge about two weeks later and received a similar sentence.

It was unclear Monday whether Lyles or Paige-Banks will testify in Gay Nell Singleton's trial.

Court proceedings resume today at 9 a.m.

The pending charges against Singleton did not prevent outgoing Greensboro Mayor Johnnie B. Washington from appointing her as the city magistrate in March 2009. According to the Alabama Administrative Office of Courts, the charges do not preclude her from serving as magistrate. But a staff attorney for the office has said that, should Singleton be found guilty of the charges, she would have to relinquish the position, which includes such duties as issuing arrest warrants, granting bail in minor misdemeanor prosecutions, accepting guilty pleas in minor misdemeanors

and the accountability to the municipal court for all traffic tickets and receipt of monetary fines.

Magistrates also can conduct arraignments and set trial dates (with the municipal judge's approval) and dismiss certain charges, such as violations of driving without a license and failing to maintain mandatory liability insurance.

Bryan was appointed to hear the case after Wiggins was found to have violated state judicial ethics.

Wiggins was reprimanded by the Court of the Judiciary and ordered to forfeit 90 days pay after he refused to promptly step aside from the case once being ordered to by the Alabama Court of Criminal Appeals. The attorney general's office had sought his recusal after he quashed a subpoena during its voter fraud investigation, which began in December 2006. The probe included the investigation of Gay Nell Singleton and two other relatives of Wiggins: Bobby Singleton, who was Wiggins' brother-in-law at the time; and Wiggins' cousin, Carrie Reaves.

The attorney general's investigation focused on absentee ballots from two elections, including Bobby Singleton's election to the Alabama Senate in 2004 and another legislative election in 2005. Gay Nell Singleton was absentee ballot manager for those elections.

Reaves and the state senator were not indicted.

The attorney general's office asked Wiggins to step aside in October 2007, but he refused. Almost 19 months later, in May 2009, the state's Judicial Inquiry Commission accused him of violating seven of the Alabama Canons of Judicial Ethics. He was suspended with pay for three months while his case was adjudicated.

The Court of the Judiciary issued the reprimand in July 2009.

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## Voter fraud alleged in City of Troy

*Posted: Sep 28, 2009 4:37 PM MDT*

**By JOHN MCLOUGHLIN**

TROY -- Dozens of Troy residents are screaming "voter fraud" and a special prosecutor has been named to investigate their complaints.

Thirty-four citizens claim that workers and officials of the Democratic and Working Families Parties duped them into signing applications for the Sept. 15th Working Families Party primary, even though they were not eligible.

They say they never saw the absentee ballot until later when an investigator showed them forged signatures where they supposedly had voted.

Jessica Boomhower, a South Troy resident, says she was duped.

"They said they were trying to make it easier for the people of Troy to vote, but they were not; they were making it easier for them to steal votes," she said.

Republican County Legislator Bobby Mirch calls the allegations of fraud "stunning," but Democratic County Chairman Tom Wade tells News-Ten that "Mirch wrote the book on absentee ballot corruption."

Mirch does not deny trying to control so-called "third parties" like the Working Families, but he says "I never broke the law."

Attorney Trey Smith, who was chief assistant district attorney in the early nineties under Jim Canfield, has been appointed special prosecutor.



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Published: October 14, 2009

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## Possible Voter Registration Fraud

By NBC4i Staff

A photograph of a "APPLICATION FOR ABSENT VOTER'S BALLOT" form. The form has a header with the title and instructions: "This form cannot be used to change your name or voting residence", "PRINT OR TYPE", and "All required fields must be completed". Below this is a section titled "Identification Requirements:" which states: "You must provide EITHER your Ohio driver's license OR the last 4 digits of your social security number OR you must enclose a copy of a current and valid photo identification, military identification, or a current (within the last 12 months) utility bills, bank statements, government check, paycheck or other government document (other than a voter registration notification mailed by a board of elections) that shows your current name and current address." Below the requirements are two rows of input fields. The first row is labeled "Required:" and contains a field for "Last 4 digits of Social Security Number" followed by four empty boxes. The second row is labeled "OR" and contains a field for "OH Driver's" followed by four empty boxes. To the left of the form, there are some partially visible fields for "Year" and "Election".

**COLUMBUS, Ohio** -- A raid on an office of the Ohio Jobs and Growth Committee in Cincinnati turned up questionable absentee ballot applications.

An employee for the pro-casino group is accused of committing fraud.

He was fired on Saturday.

"There is no incentive for anybody to turn in additional applications. They're paid hourly, they're not paid by the ballot so we're somewhat baffled as to why anybody would want to do this in the first place," said Bob Tenenbaum, the spokesperson for the Ohio Jobs and Growth Committee.

Authorities in Franklin County had been questioning the authenticity of seven similar applications.

Michael Stinziano, the director of the Franklin County board of elections, said similarities between the two cases have authorities investigating whether they are related.

He explained that the handwriting and signatures are similar, and all of the questionable applications

were submitted on the Secretary of State's form rather than local county forms.

The Ohio Jobs and Growth Committee is now tightening controls over applications.

"We are checking every application that we receive directly now before we submit it to the board of elections," Tenenbaum explained.

But Sandy Theis, the spokesperson for the opposition group TruthPAC, says she wants to see more security measures in place.

"We're starting to pick up string that this might be happening in other counties. And I think the way they got on the ballot is really questionable so somebody needs to take a look at this and find out who is behind this," she said.

According to the Stinziano, extra safeguards against fraud went into affect in 2006. All applications are run through multiple people and they are verified electronically to make sure information like signatures match.

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## Texas attorney general investigating fraud allegations in Dallas County race

By KEVIN KRAUSE / The Dallas Morning News

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A Text Size  

Allegations of mail-in ballot fraud in a Democratic primary in Dallas County are being investigated by the Texas attorney general's office, state and county officials said Tuesday.

The investigation, which Dallas County commissioners had asked for, is centered mostly on absentee votes in the justice of the peace election between incumbent Luis Sepulveda and winner Carlos Medrano.

Such investigations, while not uncommon in South Texas, are rare in Dallas County, where election officials can recall only one successful prosecution in two dozen years.

Sepulveda, who says he's found examples of bogus voting, welcomed the inquiry.

It "needs to be done. It's a big step in the right direction," he said.

Medrano could not be reached, but he previously has denied being behind any election improprieties in the precinct, which includes South Dallas and much of Oak Cliff.

Anna Casey, his campaign manager, said Tuesday: "We're confident we did everything right in the election. At the end of the day, if there was any fraud, it'll probably be tied to Carlos' opponent."

County Judge Jim Foster, a Democrat who also lost his re-election bid last month, and two Republican commissioners said they wanted GOP Attorney General Greg Abbott to step in because they didn't trust District Attorney Craig Watkins, a Democrat, to properly investigate the matter.

"This is absolutely necessary to bring an end to a longtime tradition of voter fraud in Dallas County," Foster said.

Watkins' office did not respond to a request for comment.

Bruce Sherbet, the county's elections chief, said it's unusual because the district attorney normally handles voter fraud allegations.

An Abbott spokesman said he couldn't comment on an active criminal investigation.

Sherbet has told county commissioners that based on complaints his office received he had no reason to suspect widespread fraud in the primary. He said he forwarded seven complaints to the Texas secretary of state.

In an April 20 letter, the secretary of state office's elections director, Ann McGeehan, asked the attorney general for help, citing evidence of nine possible crimes. They included illegal voting, obstructing a poll watcher, unlawfully assisting a voter and providing false information on a ballot application.

Sepulveda, who lost his re-election bid in Precinct 5 by 154 votes, has sued the county to contest the results, saying they were tainted. He won the most votes on March 2, but Medrano pulled ahead with twice as many mail-in votes.



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### Local Voter Fraud Claims Rise

By CHRISTIAN M. WADE

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When DeeAnn Athan received a new voter registration card at her downtown law office a few weeks ago, she figured it must be a mistake.

The card had her age and middle initial wrong and a different Social Security and driver's license number. The only things correct were her gender and party affiliation.

After making a few calls, Athan discovered she had two voter registrations on the books at the Hillsborough County elections office. One had her place of residence listed as her West Shore Boulevard home; the other her Kennedy Boulevard office.

"I thought to myself, 'What's going on here?'" Athan said. "How could this happen?"

Hillsborough County Elections Supervisor Buddy Johnson said the discrepancy is likely a case of voter registration fraud by a third party group that pays people to register voters.

"Someone from one of these groups probably saw her name and address in a phone book or elsewhere and registered it, thinking they could get away with it," he said.

Hillsborough elections officials have come across numerous other questionable voter registration applications in the run-up to the Nov. 4 general election, which has seen hundreds of thousands of new voters added to election rolls across the state.

In June, Johnson's office discovered that Community Vote Project, a third party voter registration group, had submitted duplicate registrations and applications with other irregularities, according to Kathy Harris, his chief of staff and legal counsel.

Harris said she didn't know many questionable registrations were involved, but said the group fired the workers who were responsible and is no longer operating in the county.

Attempts to locate representatives for Community Vote Project were unsuccessful, and no one answered the phone at their former office on Martin Luther King Jr. Boulevard.

On Thursday, Pinellas County Elections Supervisor Deborah Clark said her office has discovered that a Denver-based nonprofit third party group, Work for Progress, had submitted at least 35 questionable voter registrations in the past two months.

On some of the applications the handwriting and addresses were virtually identical, while others had no address. One application was turned in incomplete, so elections staff sent a notice to the applicant. The voter responded that she has been registered to vote since 1995 and stated that she had not submitted a new registration application since then.



Clark has asked state elections officials to look into the questionable voter applications.

Voter registration and petition fraud is a felony in Florida.

With the general election only weeks away, scores of fraudulent voter registrations are being investigated across the country, most of them submitted by third party groups.

One group, the Association of Community Organizations for Reform Now, which has registered some 1.3 million voters nationwide, is facing allegations of fraud from elections officials in Wisconsin, North Carolina, New Mexico, Michigan, Ohio and Missouri.

Johnson said the task of identifying voter fraud has become more complicated.

"It used to be ballots being dropped in the river or buried in an orange grove," he said. "Now it's become a very sophisticated process and we need to keep an eye on it."

Athan said the incident has shaken her faith in the integrity of the voting system.

"I take my right to vote very seriously," she said. "I feel like that's been violated."